

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application of: Tzu-Wen Liu Pei-Chin Yao

Serial No: 09/871398

Attorney Docket No: OR0108

Filed: 05/30/01

Group Art Unit: RECEIVED

For: LUMINOUS WARNING DEVICE FOR MAKING
PRESENCE OF A VEHICLE CONSPICUOUS

Examiner: FEB 18 2004

PETITION TO REVIVE IMPROPERLY ABANDONED APPLICATION
FOR ALLEGEDLY FAILURE TO REPLY THE NOTICE TO FILE MISSING PARTS,
MAILED ON 0204/04

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

MAR 05 2004

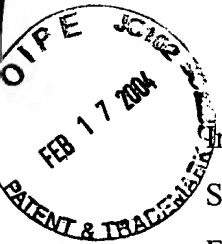
OFFICE OF PETITIONS

Sir:

Applicant respectfully submits that Applicant was shocked to receive a notice that the above referenced patent application was improperly abandoned for allegedly failure to reply the Notice to File Missing Parts, allegedly mailed on 07/31/01.

Applicant respectfully submits that Applicant has never received the above-mentioned Notice to File Missing Parts, and is thus impossible to reply to the said Notice. In the past and in numerous instances, Applicant has always timely responded to any Notice to File Missing Parts. However, as mentioned above, since Applicant has never received the above-mentioned Notice to File Missing Parts, Applicant is in no way to respond to the Notice.

Thus, Applicant respectfully requests that the improper abandonment be removed so that the present application can proceed to further examination on the merit without incurring undue hardship due to error by the PTO.



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Examiner:

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FOR ALLEGEDLY FAILURE TO REPLY THE NOTICE TO FILE MISSING PARTS.****MAILED ON 02/04/04**

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Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

022192

FEB 18 2004

OFFICE OF PETITIONS

PATENT AND TRADEMARK OFFICE

Sir:

MAR 05 2004

OFFICE OF PETITIONS

Transmitted herewith for filing is Applicant's Response to Office Action. Should the Examiner have any question, he or she is invited to call or fax the undersigned at the telephone numbers indicated below. If, for any reason, this Response is not timely filed, this is a petition for extension of time as necessary for timely filing, and the Commissioner is authorized to charge any necessary statutory fees to Charge Account No. 50-1260. A small entity status is previously established.

Respectively Submitted,

2/18/04
Date

PTO Customer No. 022192

W. Wayne Liauh, Reg. No. 34,212
Law Office of Liauh and Associates
4224 Waialae Ave., Suite 5-388
Honolulu, HI 96816
Telephone: (775) 363-2886
Telecopier: (775) 599-0768**CERTIFICATE OF MAILING (37 CFR §1.8a)**

I hereby certify that this paper (along with any documents referred as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelop addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450


Date

2/13/04

W. Wayne Liauh
(Type or print name of person mailing paper)
(Signature of person mailing paper)

Respectfully Submitted,

2/13/04
Date


W. Wayne Liauh, Reg. No. 34,212
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Honolulu, HI 96816
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UNITED STATES PATENT AND TRADEMARK OFFICE

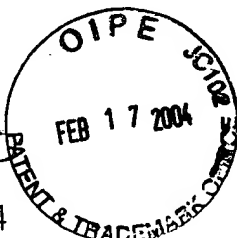
UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/871,398	05/30/2001	Tzu-Wen Liu	OR0108

022192
 LAW OFFICE OF LIAUH & ASSOC.
 4224 WAIALAE AVE
 STE 5-388
 HONOLULU, HI 96816

RECEIVED

FEB 18 2004



OFFICE OF PETITIONS

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 07/31/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE